

739 KAR 2:030. Requirements for obtaining firefighter's training facility grants.

RELATES TO: KRS 95A.040, 95A.262(3), (4)

STATUTORY AUTHORITY: KRS 95A.260(1), 95A.262

NECESSITY, FUNCTION, AND CONFORMITY: KRS 95A.262 requires that prior to the expenditure of funds for the purpose of constructing new or upgrading existing training facilities for firefighters, plans shall be submitted to and reviewed by the Commission on Fire Protection Personnel Standards and Education. The purpose of this administrative regulation is to set out standards and procedures for determining the amount and use of the funds to be expended from the Firefighter's Training Facility Fund. This amendment is necessary to comply with KRS Chapter 13A drafting rules as requested by LRC staff and to add the forms to apply for firefighters training facility grants.

Section 1. Definitions. (1) "Commission" means commission as defined by KRS 95A.210(1).

(2) "Cost estimate or quotation or bids" means an itemized list of labor, items or materials needed and their estimated cost at the time of bidding. It may also mean the estimated cost of land or buildings to be purchased.

(3) "Training facility" means a mechanism fixed or mobile where firefighters may be trained.

Section 2. Eligibility. To qualify to receive aid under the Firefighter Training Facility Fund, all fire departments recognized by the commission or groups or associations of fire departments operated and maintained on a nonprofit basis in the interest of the health, safety, prosperity and security of the inhabitants of the Commonwealth, shall be eligible.

Section 3. Participation Requirements. (1) Application shall be made to the commission on Form TFG-1, July 14, 1998. The application shall contain, but not be limited to the following:

- (a) A letter of application, containing a general statement of intent;
- (b) A list of fire departments and agencies that will use the facility;
- (c) A list of what is available to the applicant, such as land, free labor or materials, etc.;
- (d) The name of an agent or contact person;
- (e) A drawing or sketch of the proposed training facility, as well as building drawing if applicable; and
- (f) A cost estimate.

(2) All applications shall comply with KRS 45.750 through 45.800 applicable to capital construction projects statutes and the requirements stated in subsection (1) of this section.

(a) Quotations or bids shall be obtained from at least three (3) suppliers for all expenditures of less than \$10,000.

(b) Expenditures exceeding \$10,000 or in excess of the requirements of KRS 424.260, whichever applies, shall require advertisement in newspapers prior to letting the bid to inform the public and suppliers of the needs of the recipient and assure that purchases will be at the lowest cost.

(c) Capital construction exceeding the cost of \$25,000, shall require bidding, advertisement and the services of an architect or professional engineer registered in the state of Kentucky.

(d) Equipment expenditures exceeding \$50,000 shall comply with paragraphs (a), (b) and (c) of this subsection and shall be submitted to and approved by the Capital Construction and Equipment Oversight Committee.

(3) Permits shall be obtained for all electrical installations; all plumbing installations; all fuel installations; and boiler and pressure vessel installations.

Section 4. Processing Applications. (1) The commission shall review the applications and, subject to funds available, shall determine which applications shall be funded and at what levels, together with any terms and conditions the commission deems necessary.

(2) Funds shall not be expended for any purpose other than that for which it is approved without the approval of the commission.

(3) If funds are granted to an applicant and are not to be used for the purpose granted, the applicant's agent shall contact the commission through its administrator directly, giving the reason any change is required or desired in the original plan; and resubmit new plans and cost estimates which shall be approved by the commission; or return the funds.

(4) Granted funds shall not be held longer than twelve (12) calendar months after the date of the grant check without reasonable progress toward the purpose of the grant. If no progress has been made or there is insufficient progress in the consideration of a majority of the commission members after twelve (12) months, the remaining funds shall be returned.

(5) If expenditures or progress is made during the quarter, receipts for funds expended or progress made shall be forwarded to the commission by the 15th of the following month. Progress shall be reported on Form TFG-2, July 14, 1998, and expenditures shall be reported on Form TFG-3, July 14, 1998. Receipts for January, February and March shall be in the hands of the Commission Administrator by the 15th of April and so on.

(6) Maintenance of the training facilities and equipment purchased with the granted funds shall be the responsibility of the applicant. A reasonable fee may be charged for use of the facilities by others than the applicant's members. These fees are to be used for the maintenance of the facilities or equipment.

(7) Any false statements made knowingly by an applicant shall call for refund of grant monies and prosecution under existing statutes.

Section 5. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) Training Facility Grant Application, Form TFG-1, July 14, 1998 (2 pages).

(b) Quarterly Progress Report, Form TFG-2, July 14, 1998.

(c) Quarterly Financial Status Report, Form TFG-3, July 14, 1998.

(2) This material may be inspected, copied or obtained at the Commission on Fire Protection Personnel Standards and Education, 1049 U.S. 127 South, Suite #5, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (10 Ky.R. 511; Am. 760; eff. 11-2-83; 11 Ky.R. 805; eff. 12-11-84; 16 Ky.R. 1503; eff. 3-8-90; 19 Ky.R. 2125; 2429; eff. 5-10-93; 25 Ky.R. 1200; 1606; eff. 1-8-99; recodified from 815 KAR 45:050, 3-27-2002.)